

Judge Thomas S. Zilly
Trial Date: 04-19-21

IN THE U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BAO XUYEN LE, as Personal
Representative of the Estate of Tommy Le;
HOAI “SUNNY” LE; and DIEU HO,

Plaintiffs,

v.

REVEREND DR. MARTIN LUTHER
KING, JR. COUNTY; and KING
COUNTY DEPUTY SHERIFF CESAR
MOLINA,

Defendants.

NO. 2:18-cv-00055-TSZ

**STIPULATED MOTION & [PROPOSED]
ORDER TO MODIFY SCHEDULING
ORDER TO ALLOW FOR THE TAKING
OF THE DEPOSITION OF RICARDO
FUENTES AFTER THE DISCOVERY
COMPLETION DATE**

STIPULATION

The parties to this action through their attorneys of record ask the Court to confirm and order the following stipulation:

1. Pursuant to the September 21, 2020 scheduling order, the discovery completion deadline for this matter was February 1, 2021.

2. Defendant King County supplemented its discovery responses, on February 18, 2021, with newly discovered evidence, namely the “*Office of Law Enforcement Oversight, King County Sheriff’s Department, Officer-Involved Shooting Incident, January 14, 2017*”, (KCSO Summary).

3. The KCSO Summary was authored by Ricardo Fuentes, a former representative of the Office of Law Enforcement Oversight (OLEO).

**STIP. MOT. & PROPOSED ORDER TO
MODIFY SCH. ORDER & TAKE DEPO
OF RICARDO FUENTES**
NO. 2:cv-18-00055-TSZ

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4. Recognizing that the KCSO Summary is newly discovered evidence produced by Defendant King County after the discovery completion date and reserving to the Plaintiffs the future right to seek relief from the Court based on this newly discovered evidence and Defendant King County's post-discovery cut off supplement to discovery, the parties have agreed to modify the existing scheduling order to allow for the taking of the Deposition of Ricardo Fuentes.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

For the Plaintiffs

___s/ Philip G. Arnold

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For Defendant Deputy Cesar Molina

___s/ for Timothy R. Gosselin w/ permission ___
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**STIP. MOT. & PROPOSED ORDER TO
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For Defendant King County

s/ for Daniel L. Kinerk w Permission

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[PROPOSED] ORDER

Pursuant to stipulation between Plaintiffs and Defendants King County and Deputy Molina, it is so ordered.

DATED February ____, 2021.

Hon. Judge Thomas Zilly
United States District Judge

Presented by:

s/ Philip G. Arnold

Philip G. Arnold, WSBA No. 2675

Attorneys for the Plaintiffs

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CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of Washington state and the United States that I caused this pleading to be served on the persons listed below in the manner shown.

Filed ECF and Word copy to Judge's Orders Mailbox

Dated February _22nd, 2021.

By: s/Leslie S. Harris, Paralegal